

REMARKS

The Applicants have studied the Office Action dated June 6, 2006 and have made amendments to the claims to distinctly claim and particularly point out the subject matter which the Applicants regard as the invention. No new matter has been added. It is submitted that the application, as amended, is in condition for allowance. New claims 15 through 18 have been added. By virtue of this amendment, claims 1-18 are pending. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks is respectfully requested.

Rejection under 35 U.S.C. §103(a) as Unpatentable over *Kubo et al* in view of *Chen et al*.

The Examiner rejected claims 1-14 under 35 U.S.C. § 103(a) as being unpatentable over *Kubo et al.* U. S. Patent Pub. No. 2002/0006809 (hereinafter "Kubo") in view of *Chen et al.* U. S. Patent No. 6,359,592 (hereinafter "Chen"). The Examiner recites 35 U.S.C. §103. The Statute expressly requires that obviousness or non-obviousness be determined for the claimed subject matter "as a whole," and the key to proper determination of the differences between the prior art and the present invention is giving full recognition to the invention "as a whole."

With respect to claims 1, 8, and 14, the Applicants have amended these claims to more clearly specify "an electrical ground substantially within the body" and "a flip cover, the flip cover comprising a conductive portion, wherein the conductive portion is electrically insulated from the electrical ground within the body except for a flip ground connection to the electrical ground within the body, the flip ground connection being located substantially in the area of the second edge." Support for these amendments is found in the specification at, for example, page 6, line 20 through page 7, line 2; and page 8, line 11 through page 9, line 5. No new matter has been added by these amendments.

The Applicants assert that the Kubo reference fails to teach or suggest the amended "flip cover" limitation of claims 1, 8 and 14. The Applicants assert that the Kubo reference fails to teach "wherein the conductive portion is electrically insulated from the electrical ground within the body except for a flip ground connection to the electrical

ground within the body, the flip ground connection being located substantially in the area of the second edge” as is set forth by these claims.

The Examiner cites a portion of the Kubo reference as suggesting a “secondary printed circuit board 36” within a flip cover with a “plurality of feeds 518” that are connected to the “primary circuit board 26 within the body 20 substantially in the area of the second edge.” Office Action dated June 6, 2006, page 3, first paragraph, citing Kubo, Figs 13, 17 and page 11, paragraphs 0203-0207. The Applicants traverse this assertion.

The Applicants point out that the presently claimed invention defines “a body having a first edge and a second edge, the second edge being substantially opposite the first edge.” These claims further specify that “the antenna driven by an RF feed that is located in the area of the first edge.” The “flip ground connection” is therefore “located substantially in the area” that is substantially opposite the location of the RF feed. In contrast, the Kubo reference shows that flexible board 518 connects to a primary circuit board 516 in an area that is substantially adjacent to the antenna feed. Kubo states that the flexible board 518 connects the circuit boards “through the inside of hinge portion 530. Kubo, page 11, paragraph 207. FIGs. 12 and 17 further show the hinge portion to be adjacent to the location of the antenna feed. See, Kubo, FIG. 13 in conjunction with FIG. 14 and guide member 541 described at Kubo, page 11, paragraph 0212, and FIG. 17, particularly “feeder 52” described at page 1, paragraph 0010.

With regards to claims 7 and 14, the Applicants have amended these claims to more clearly specify “the dielectric substrate mounted in proximity to the antenna cavity so as to interact with the antenna when the antenna is retracted into the antenna cavity such that a resonant frequency of the antenna is substantially maintained when the antenna is retracted into the antenna cavity and when the antenna is extended from the antenna cavity.” Support for this amendment is found in the specification at, for example, page 9, line 6 through page 10, line 18. No new matter has been added by this amendment.

The Applicants assert that the Chen reference fails to teach a “dielectric substrate” as is

set forth by amended claims 7 and 14. The Chen reference teaches an "insulator 516" that insulates a "cylindrical radiating element" 512 from a "ferrule tube" 504 when the antenna is retracted. See, Chen, FIG. 6 and column 4, lines 23-45. The Applicants fail to see where the Chen reference teaches or suggests that this insulator has any affect on the RF characteristics, such as resonant frequency, of the antenna. Chen further fails to even mention the electrical properties of this insulator 516 and does not even discuss the electrical effects of the insulator 516 when the antenna is in its "deployed" or "stowed" positions.

In quite a different configuration that that set forth by claims 7 and 14, the Chen reference uses a loading coil 214 that connects to the "cylindrical radiating element 202" when the antenna is stowed but that is open and not connected when the antenna is deployed, and therefore has no effect while the antenna is deployed. Chen, column 3, lines 50-64. Chen uses a loading coil that is ohmically connected when the antenna is "stowed" or retracted. The Applicants' presently claimed invention uses a "dielectric substrate mounted in proximity to the antenna cavity so as to interact with the antenna when the antenna is retracted into the antenna cavity" such that a resonant frequency of the antenna is substantially maintained when the antenna is retracted into the antenna cavity."

With respect to claim 2 and 9, the Applicants have amended these claims to recite "the conductive body portion is electrically insulated from the electrical ground except for a body ground connection connecting the conductive body portion to the electrical ground, the body ground connection being located substantially in the area of the first edge." Support for these amendments is found in the specification at, for example, page 5, lines 1-7. No new matter has been added by these amendments. The Applicants point out that the Kubo reference shows a second supporter (which does not have a call number) illustrated on the right side of Fig. 17, near call number 70', that also connects the ground plate 27 to the body 20. This clearly distinguishes the Kubo reference from amended claims 2 and 9. The Applicants assert that the cited references fail to teach or suggest the limitations of claims 2 and 9.

With regards to claims 3, 4, 10 and 11, the Applicants have amended these claims to more specifically specify that several enumerated components are “electrically insulated from the electrical ground except for a respective ground connection ... being located substantially in the area of the first edge.” Support for these amendments is found in the specification at, for example, page 5, lines 1-7. No new matter has been added by these amendments. With regards to claims 3 and 10, the Applicants assert that the Kubo reference does not describe the connection between “an RF PC board” and “an electrical ground. Although RF circuits are assumed to be on the PC board 26, the Kubo reference fails to teach or suggest that the “RF PC board” is “electrically insulated from the electrical ground except for a respective ground connection ... being located substantially in the area of the first edge” as is set forth for claims 3 and 10.

With respect to claims 4 and 11, the Applicants point out that Kubo fail to teach that any of the items enumerated by claims 4 and 11 that are within the “lower casing 20” of Kubo are “electrically insulated from the electrical ground except for a respective ground connection to the electrical ground, the respective ground connection being located substantially in the area of the first edge” as is set forth for these claims.

The Applicants therefore assert that the cited references fail to teach or suggest the limitations of amended claims 3, 4, 10 and 11.

With regards to claims 6 and 13, the Applicants refer to the above remarks regarding claims 1, 8 and 14 concerning the “flip ground connection.” The Applicants point out the specified relationship between the “first edge” and the “second edge” and the corresponding relationship between the “RF feed” and the “flip cover power feed” set forth for claims 6 and 13. The Applicants assert that the cited references fail to teach or suggest the limitation of amended claims 6 and 13.

Additionally, the Applicants note that amended dependent claims 2-6 and 8-13 depend from amended independent claims 1 and 7, respectively. As discussed above, amended independent claims 1 and 7 distinguish over the cited references. Since dependent claims include all of the limitations of the independent claims from which

they depend, Applicants further assert that dependent claims 2-6 and 8-13 also distinguish over the cited references as well. Therefore, Applicants respectfully assert that the Examiner's rejection under 35 U.S.C. §103(a) over Kubo in view of Chen should be withdrawn.

New Claims 15 and 16.

The Applicants have added new claims 15 and 16, which depend directly or indirectly from amended independent claim 7, and new claims 17 and 18, which depend directly or indirectly from amended dependent claim 8. Support for new claims 15, 16, and 18 is found in the specification at, for example, page 9, line 6 through page 10, line 18. No new matter has been added by this amendment. Support for new claim 16 is found in the specification at, for example, FIG. 3, page 7, lines 8-19 and page 9, lines 6-23. No new matter has been added by this amendment. The Applicants submit that the cited references do not teach or suggest the subject matter of new claims 15-18.

CONCLUSION

The foregoing is submitted as full and complete response to the Official Action mailed June 6, 2006, and it is submitted that Claims 1-18 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of Claims 1-18 is earnestly solicited.

If for any reason the Examiner finds the application other than in condition for allowance, or the Examiner believes that there are any informalities which can be corrected by Examiner's amendment, a telephone call to the undersigned at (561) 989-9811 is respectfully solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration, re-examination, and allowance of the claims is requested.

Respectfully submitted,

Date: September 6, 2006

By: 

Jeffrey N. Giunta
Registration No. 42,583